

MR3003-7
S.N. 09/986,845
Amendment dated 6 November 2003
Reply to Office Action of 12 September 2003

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Final Official Action dated 12 September 2003. Claims 22-44 were pending in the Application. Responsive to the rejections made in the Official Action, Claim 22 has been amended to clarify the combination of elements which form the invention of the subject Patent Application and Claims 23, 25, 29 and 36 have been amended to clarify the language of those Claims. Further, Claims 27, 28, 37, 39 and 41-44 have been cancelled by this Amendment.

In the Official Action, the Examiner rejected Claims 28-30 under 35 U.S.C. § 112, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner indicated that the scope of Claim 28 was indefinite because of an inconsistency with the independent Claim 22, which did not positively recite the "overhang portion".

The overhang portion has now been positively recited in Claim 23, and those Claims which contain positive limitations directed toward the overhang portion are now ultimately dependent on Claim 23. Thus, it is now believed that all of the Claims particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

In the Official Action, the Examiner rejected Claims 22, 24-26, 28-30, 32-38, 40 and

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41 under 35 U.S.C. § 102, as being anticipated by Nagayama, et al., U.S. Patent #6,137,220.

The Examiner stated that the reference disclosed an organic electro-luminescence device which included a substrate 102 and a plurality of elongate first electrodes 103 formed on a surface of the substrate. The Examiner further stated that the reference disclosed a plurality of organic layer divisions 106 formed on the first electrodes to extend transversely relative thereto, with each of the organic layer divisions including at least one organic electro-luminescent layer and the organic layer divisions being spaced one from the others. The Examiner indicated that the reference further disclosed a plurality of second electrodes 107 formed respectively on the organic layer divisions, and a plurality of rampart portions 104, 105, 107 each disposed adjacent the at least one organic layer divisions, and extending upward from the first electrodes to support an overhang portion. The Examiner further stated that each rampart portion had a plurality of sections including a bottom insulating pad section 104 or 105 and a heat sink section 107 formed of a conductive material.

It is respectfully submitted that the Nagayama, et al. reference discloses an organic electro-luminescent display wherein a plurality of organic layer divisions 106 are separated by partition walls 105 formed of an electrically insulating material, Column 1, Lines 28-33. Overlaying the organic layers 106 are corresponding electrodes 107. While the insulating partition walls 105 define ramparts, which structures do not include the electrodes 107. Like

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the electrodes of the invention of the subject Patent Application, electrodes 107 do have some heat sinking capability. However, additional heat dissipation capacity is provided in the invention of the subject Patent Application by the addition of the heat sink sections 372.

To further distinguish the invention of the subject Patent Application from the Examiner's interpretation of the Nagayama, et al. structure, Claim 22 has been amended to define the rampart portions as being respectively spaced from the plurality of second electrodes. Thus, it is clear from the Claim language of the invention of the subject Patent Application that the rampart structures are separate and distinct from the second electrodes, (which electrodes are corresponding to the electrodes 107 of the reference).

Therefore, as the reference fails to disclose each and every one of the elements of the invention of the subject Patent Application, it cannot anticipate that invention.

The distinction between the invention of the subject Patent Application and the reference relied upon by the Examiner is further provided in Claim 23, wherein the insulating strip 392 is defined as being disposed on the heat sink section, the insulating stripe protruding laterally beyond the heat sink section to form an overhang portion of the rampart portion. Such a structure is neither disclosed nor suggested by Nagayama, et al.

Another Claim which further distinguishes the invention of the subject Patent Application from the reference relied upon by the Examiner is Claim 33. The Examiner

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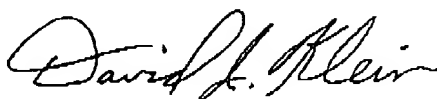
equates Applicant's heat sink section with Nagayama, et al.'s electrode 107, which electrode clearly has a rectangular contour. The only structure of Nagayama, et al. which is trapezoidal is the electrically insulating partition wall 105, which structure is neither disclosed nor suggested as being thermally conductive to serve as a heat sink. The remaining Claims are all ultimately dependent on Claim 22, which is now believed to be patentably distinct, and thus those Claims are at least patentably distinct for the same reasons.

In the Official Action, the Examiner rejected Claims 23, 27, 31, 39, and 42-44 under 35 U.S.C. § 103, as being unpatentable over Nagayama, et al. in view of Yamana, U.S. Patent #6,249,084. The Yamana reference does not overcome the deficiencies of Nagayama, et al. Nowhere does the Yamana reference disclose or suggest the incorporation of heat sink sections in the rampart portions of the device. While the reference discloses the use of moisture absorbent insulating layers, the reference neither discloses nor suggests a moisture absorbent section disposed between the heat sink and bottom insulating pad sections. Therefore, the combination of Nagayama, et al. and Yamana cannot make obvious the invention of the subject Patent Application, as now claimed. Those dependent Claims not particularly discussed are believed to provide further patentably distinct limitations, but are at least patentably distinct for the same reasons as those discussed with respect to Claim 22.

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For all the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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Dated: 6 Nov. 2003

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For: ROSENBERG, KLEIN & LEE


DAVID I. KLEIN

11/6/2003
Date